

§2-326. Sale on approval and sale or return; rights of creditors

(1). Unless otherwise agreed, if delivered goods may be returned by the buyer even though they conform to the contract, the transaction is

- (a). A "sale on approval," if the goods are delivered primarily for use; and
- (b). A "sale or return," if the goods are delivered primarily for resale.

(2). Goods held on approval are not subject to the claims of the buyer's creditors until acceptance; goods held on sale or return are subject to such claims while in the buyer's possession.

[PL 1999, c. 699, Pt. B, §8 (RP); PL 1999, c. 699, Pt. B, §28 (AFF).]

(3).

[PL 1999, c. 699, Pt. B, §8 (RP); PL 1999, c. 699, Pt. B, §28 (AFF).]

(4). Any "or return" term of a contract for sale is to be treated as a separate contract for sale within the statute of frauds section of this Article (section 2-201) and as contradicting the sale aspect of the contract within the provisions of this Article on parol or extrinsic evidence (section 2-202).

SECTION HISTORY

PL 1999, c. 699, §B8 (AMD). PL 1999, c. 699, §B28 (AFF).

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